

Statement of Purpose for Pre-hearing Information Session Pilot
May 2006

The purpose of a pre-hearing information session is for all interested parties to learn about the intent of those that have submitted a request to amend a provision of a Federal milk order and how their proposal would accomplish that intent. The session is intended to facilitate dialogue among interested parties and clarify the effect and intent of proposed amendments. The proceedings of the session will not be made part of the hearing record. The session will be held in the geographic area in which the proponents are located, or in which the proposal will have effects.

The session will not be used as a forum for challenging the validity of proposals, nor arguing the merits of proposals. Information exchanged at the session will enable participants to better prepare testimony and evidence in support of, or in opposition to, proposals being considered at the hearing. This will result in a more complete hearing record upon which the Department bases its determinations.

Information sessions will not be held for all proposed amendments. Proposals will be evaluated by the Department on a case by case basis to determine whether an information session is necessary. Proponents may request an information session when submitting their justification for formal rulemaking. The decision of the Department to hold an information session does not guarantee that a hearing will occur.

Rules of practice:

- The information session is presided over by a panel of Dairy Programs and Market Administrator staff.
- Attendance of proponents is required.
- Only the panel may question session participants; questions may be submitted to the panel by session participants.
- Each proponent will have the opportunity to present their proposal, the intent/effect of the proposal, ask procedural questions regarding

the proposal to the panel and request the preparation of data for use at the hearing.

- The information session should be finished in 1 day.
- All proposals are due prior to session.
- Session proceedings will not be made part of the hearing record.
- All requests for data are due by close of session.
- Ex-parte rules not in effect.
- Participants will have 3 days after the session to submit modifications to proposals or withdraw proposals from consideration.